

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ISREAL LOUIS GOODIN,

Plaintiff,

v.

Case No. 1:17-CV-427

AMY SCOTT,

HON. GORDON J. QUIST

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

This is a civil rights case brought by state prisoner Isreal Goodin. The only remaining defendant is Amy Scott. Scott filed a motion for summary judgment based upon Goodin's purported failure to exhaust. (ECF No. 10.) On July 27, 2018, Magistrate Judge Ray Kent issued a Report and Recommendation (R & R), recommending that the Court grant Scott's motion in part except for claims deriving from Grievances 1785, 1978, and 218, and that the Court dismiss those claims due to Goodin's failure to state a cognizable claim. (ECF No. 35.) Neither party filed objections to the R & R.

Pursuant to Federal Rule of Civil Procedure 72(b), a party "may serve and file specific written objections" to the R & R, and the Court is to consider any proper objection. Local Rule 72.3(b) likewise requires that written objections "shall specifically identify the portions" of the R & R to which a party objects. Pursuant to 28 U.S.C. § 636(b), upon receiving objections to a report and recommendation, the district judge "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." If a party fails to identify and object to specific portions of the R & R, then any possible objections to

those portions are deemed waived. *See, e.g., Smith v. Detroit Fed'n of Teachers Local 231, Am. Fed'n of Teachers, AFL-CIO*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Neither party filed objections to the R & R, so any objections have been waived. After conducting a de novo review of the R & R, and the pertinent portions of the record, the Court concludes that the R & R should be adopted.

Therefore,

IT IS HEREBY ORDERED that the magistrate judge's Report and Recommendation (ECF No. 35) is **APPROVED AND ADOPTED** as the Opinion of this Court.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment (ECF No. 10) is **DENIED IN PART** as to claims derived from Grievances 1785, 1978, and 218, and **GRANTED IN PART** as to all other claims.

IT IS FURTHER ORDERED that Plaintiff's claims deriving from Grievances 1785, 1978, and 218 are **DISMISSED** for failure to state a claim.

A separate judgment will issue.

Dated: August 22, 2018

/s/ Gordon J. Quist

GORDON J. QUIST
UNITED STATES DISTRICT JUDGE